

§ 52.1603

40 CFR Ch. I (7–1–13 Edition)

(e) *Determination of Attainment.* EPA has determined, as of December 31, 2012, that the New York-N. New Jersey-Long Island, NY-NJ-CT fine particle (PM_{2.5}) nonattainment area has attained the 2006 PM_{2.5} National Ambient Air Quality Standard. This determination suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as the area continues to attain the 2006 PM_{2.5} NAAQS.

[73 FR 24870, June 5, 2008, as amended at 75 FR 69591, Nov. 15, 2010; 77 FR 28785, May 15, 2012; 77 FR 76871, Dec. 31, 2012]

EDITORIAL NOTE: At 78 FR 885, Jan. 7, 2013, § 52.1602 was amended by adding paragraph (e); however, the amendment could not be incorporated because paragraph (e) already exists.

§ 52.1603 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21 except paragraph (a)(1) are hereby incorporated

and made a part of the applicable State plan for the State of New Jersey.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980; 68 FR 11323, Mar. 10, 2003; 68 FR 74489, Dec. 24, 2003]

§ 52.1604 Control strategy and regulations: Total suspended particulates.

(a) Any variance issued by the Department under N.J.A.C. Title 7, Chapter 27, section 6.5, subsections (a), (b), or (c) shall not exempt any person from the requirements otherwise imposed by N.J.A.C. 7:27–6.1 *et seq.*; *Provided* that the Administrator may approve such variance as a plan revision when the provisions of this part, section 110(a)(3)(A) of the Act, and 40 CFR, part 51 (relating to approval of and revisions to State implementation plans) have been satisfied with respect to such variance.

(b) Particulates emissions from units 1 and 2 of the Atlantic City Electric Company’s B.L. England Generating Station are limited to an emission rate of 0.5 lbs/million BTU until March 31, 1982 and June 1, 1982, respectively. The opacity associated with such emissions from these units during this period shall not exceed 40 percent. On and after March 31, 1982 for unit 1, and June 1, 1982 for unit 2, these units shall be limited to an emission rate of 0.1 lbs/million BTU, and the associated opacity shall not exceed 20 percent.

[44 FR 5427, Jan. 26, 1979 and 46 FR 26305, May 12, 1981]

§ 52.1605 EPA-approved New Jersey regulations.

State regulation	State effective date	EPA approved date	Comments
Title 7, Chapter 26			
Subchapter 2A, “Additional, Specific Disposal Regulations for Sanitary Landfills.”	June 1, 1987	June 29, 1990, 55 FR 26689	
Title 7, Chapter 27			
Subchapter 1, “General Provisions”.	May 1, 1956	June 29, 1990, 55 FR 26689	
Subchapter 2, “Control and Prohibition of Open Burning”.	June 8, 1981	Sept. 30, 1981, 46 FR 47779.	
Subchapter 3, “Control and Prohibition of Smoke from Combustion of Fuel”.	Oct. 12, 1977	Jan. 27, 1984, 49 FR 3465.	
Subchapter 4, “Control and Prohibition of Particles from Combustion of Fuel.”.	April 20, 2009	August 3, 2010, 75 FR 45483.	
Subchapter 5, “Prohibition of Air Pollution.”	Oct. 12, 1977do.	